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ATTORNEYS AT LAW

October 4, 2010

Via Facsimile (212) 805-7927

Hon. Naomi Reice Buchwald, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Bonito, et al. v. Avalon Partners, Inc. and Vincent Au
Case No. 10-CV-3606 (NRB)

Dear Judge Buchwald:

This firm represents Defendants Avalon Partners, Inc. and Vincent Au (collectively, the "Defendants") in the above-referenced action. In early September 2010, the parties agreed to mediate this action, and, to preserve the resources of the parties and the Court, agreed that such mediation should take place prior to Defendants answering or moving with respect to the Complaint. To that end, the parties entered into a Stipulation and Tolling Agreement, "so ordered" on September 14, 2010, which extended Defendants' time to answer or move to November 10, 2010, and referred this action to a Magistrate Judge for mediation.

By Order, dated September 23, 2010, Magistrate Andrew J. Peck scheduled a settlement conference for December 2, 2010. The parties intend to exchange limited pre-mediation discovery in order to have a better possibility of resolving this matter before Judge Peck. As a result of the foregoing, Defendants' time to answer or move with respect to the Complaint will expire prior to the mediation of this action.

December 15, 2010 mrs

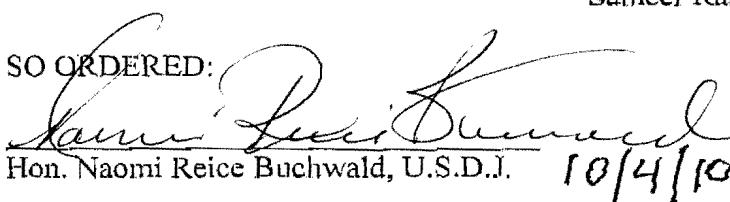
Accordingly, the parties jointly request that Defendants' time to answer or move with respect to the Complaint be extended to January 7, 2011 so that the parties can complete mediation prior to the time they are required to answer or move.

Respectfully submitted,



Sameer Rastogi (SR-5549)

SO ORDERED:


Hon. Naomi Reice Buchwald, U.S.D.J.

10/4/10

cc: Matthew Kadushin, Esq. (via facsimile only)

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